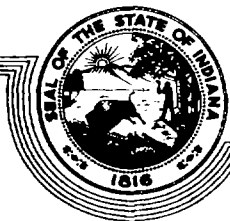


STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
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IN THE MATTER OF THE COMPLAINT OF)
JUPITER ALUMINUM CORPORATION)
AGAINST NORTHERN INDIANA PUBLIC)
SERVICE COMPANY FOR FAILURE TO)
PROVIDE REASONABLE AND ADEQUATE)
SERVICE AND FACILITIES)

CAUSE NO. 42415

FILED

JUN 24 2003

INDIANA UTILITY
REGULATORY COMMISSION

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") caused the following entry to be made in this matter:

On June 2, 2003, the Petitioner, Jupiter Aluminum Corporation ("Petitioner" or "Jupiter") filed a *Motion for Leave to File Expert Testimony and Workpapers Under Seal* ("Motion") in this Cause. In its Motion, Jupiter indicates that it has filed a redacted version of the prefiled testimony and workpapers of Mr. Nicholas Phillips. The Petitioner indicates in its Motion that the redacted portions contain confidential information ("Confidential Information") deemed to be trade secrets of Jupiter, which are exempt from public disclosure pursuant to Indiana Code (IC) § 5-14-3-4(a)(4), including information regarding the specific dollar amount that Jupiter pays Northern Indiana Public Service Company ("NIPSCO") for electricity. The Petitioner requests that the Commission find these materials to be confidential, on a preliminary basis. In support of its Application, the Petitioner included the *Affidavit of Jeffrey F. Condon* ("Affidavit"). The Affidavit has been placed in the Commission's file in this matter and is hereby incorporated by reference.

The Presiding Officer, having reviewed the information contained in the Petitioner's Motion and Affidavit, finds that there is a sufficient basis for a preliminary finding that confidential procedures are appropriate and should be followed concerning the Confidential Information to be submitted in this Cause. Accordingly, the Petitioner shall *hand deliver to the Presiding Administrative Law Judge* sealed unredacted copies of the testimony and workpapers of Mr. Nicholas Phillips, Jr., which contain confidential trade secrets, and such information shall be treated as confidential on a preliminary basis in and exempt from disclosure as a public record in accordance with IC § 5-14-3-4.

IT IS SO ORDERED.

Scott R. Storms, Chief Administrative Law Judge

6/24/03

Date

Nancy E. Manley, Secretary to the Commission